IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

MONDAY, THE 4TH JUNE 2007 / 14TH JYAISHTA 1929

WP(C).No. 16964 of 2007(T)

PETITIONER:

M.M.RAGHU,
ASSISTANT EXECUTIVE ENGINEER, SOUPARNIKA,
PERINTHALMANNA, MALAPPURAM.

BY ADV. SRI.LAL GEORGE

RESPONDENTS:

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1. **KERALA WATER AUTHORITY,**
   REPRESENTED BY ITS MANAGING DIRECTOR,
   JALA BHAVAN, THIRUVANANTHAPURAM.

2. **CHIEF ENGINEER,**
   HRD & GL, JALA BHAVAN, THIRUVANANTHAPURAM.

3. **P.ISMAIL,**
   ASSISTANT EXECUTIVE ENGINEER,
   I.P.D., SUB DIVISION, KERALA WATER AUTHORITY,
   TIRUR.

BY ADV. SRI. C.UNNIKRISHNAN, SC, KWA

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 04/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.BALAKRISHNAN NAIR, J.

W.P.C.No. 16964 of 2007 (T)

Dated this the 4th day of June, 2007.

J U D G M E N T

The petitioner challenges Ext.P1 order dated 31-5-2007 transferring him from Palakkad to Kannur. Various personal inconveniences are pointed out by him. His son is studying for plus two course at Shri. Valluvanadu Vidya Bhavan and his wife is a chronic diabetic patient. If he is retained at Palakkad for six more months, he will not be seriously affected by the transfer. He has completed only two years at Palakkad. Therefore, the present transfer is made in violation of transfer rules. He also claims protection available to a member of the Scheduled Caste.

2. Ext.P1 is a general transfer order issued by the competent authority. This Court can interfere with the transfer if it is shown to be illegal or vitiated by malafides. No such ground has been taken in this writ petition.

3. In view of the above position, the challenge against Ext.P1 is repelled. But, if the petitioner has got any right of representation against Ext.P1 as per the norms governing transfer, he can invoke

it. In that event, the competent authority will consider and pass orders in the representation filed by the petitioner, uninfluenced by this judgment.

Subject to this right the Writ Petition is dismissed.

K.BALAKRISHNAN NAIR,
JUDGE.

MS